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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,725	03/22/2004	Musa Hanhan	P3392C1	2615

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CENTRAL COAST PATENT AGENCY  
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EXAMINER

LUU, LE HIEN

ART UNIT PAPER NUMBER

2141

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/806,725

Applicant(s)

HANHAN, MUSA

Examiner

Le H. Luu

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03/22/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 03/22/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

1. Claims 1-10 are presented for examination.
2. Claims 1-10 are objected to because of the following informalities: "the light device" lacks positive antecedent basis. For purpose of examination, Examiner assumes applicant claimed "the light computerized device".

Appropriate correction is required.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-10 rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Kikinis** patent no. **5,727,159**, and further in view of **Banerjee et al. (Banerjee)** patent no. **6,292,181**.

5. As to claim 1, Kikinis teaches the invention as claimed, including a communication center having agent workstations, server-based software tools, and server-based data storage, a system for enabling a remote agent, using a light computerized device having insufficient power to operate as a workstation of the communication center, to access and operate as an agent with access to data and software tools of the communication center (figure 2), the system comprising:

a proxy server executing a software suite (Proxy server 19, figure 2);  
a first two way data link between the proxy server and one of a server or a workstation at the communication center (col. 4 lines 15-34); and  
a second two way data link between the proxy server and the light computerized device used by the remote agent (col. 5 lines 34-52);  
characterized in that the proxy server, by the software suite, upon establishing a connection over the second data link, ascertains hardware and software characteristics of the light computerized device, establishes a connection to a server or a workstation at the communication center over the first two way data link at direction of the light computerized device, accesses data and operates software at the communication center on behalf of and according to direction from the light computerized device, transforms the data and results of the software operations into a form useable by the light device, and transmits the transformed information to the light computerized device via the second two way data link (col. 4 lines 15-64, col. 5 line 62 - col. 6 line 36, col. 7 line 57 - col. 8 line 4).

However, Kikinis does not explicitly teach the light computerized device has full access to data and software tools at the communication center.

Banerjee teaches using a mobile data processing device (MDPD) as an intelligent interface to a desktop computer to allow user of the MDPD to access databases or any resource and control execution of any program such as Windows and Windows applications on host computer (Abstract; col. 3 line 33 - col. 4 line 19).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the well known teachings with the teachings of Banerjee and Kikinis to provide the light computerized device with full access to all data and software at the communication center because it would allow mobile user to access

and control host resources regardless of location.

6. As to claim 2, Kikinis teaches said light computerized device is one of a hand held computer, a personal digital assistant, a portable laptop computer, and a cell telephone (col. 4 lines 35-64).

7. As to claim 3, Kikinis teaches the proxy server is a LAN connected server in the communication center, the first two-way data link being the communication center LAN (col. 4 lines 29-34, and col. 5 lines 53-61).

8. As to claim 4, Kikinis teaches the second two way data link is one of a dial up telephone connection, a wireless connection or a data packet connection via the Internet (col. 5 lines 44-52).

9. As to claim 5, Kikinis teaches the proxy server and the light computerized device execute an instance of a Nano browser enabling Internet Protocol communication over the second data link (col. 7 lines 1-12).

10. Claims 6-10 have similar limitations as claims 1-5; therefore, they are rejected under the same rationale.

11. Claims 1-10 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-10 of U.S. Patent No. 6,711,611. Although the conflicting claims are not identical, they are not patentably distinct from each other because the context of the claimed invention is the same as the context of the cited claims of the U.S. patent.

12. The non-statutory double patenting rejection, whether of the obviousness-type or non-obviousness-type, is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985) *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

13. A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a non-statutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

14. Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

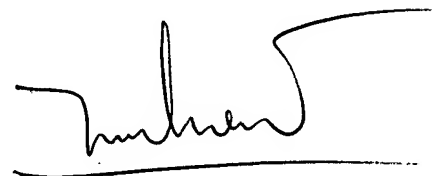
15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H. Luu whose telephone number is 571-272-3884. The examiner can normally be reached on 7:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

Art Unit: 2141

supervisor, Rupal Dharra can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Le Hien Luu', is written over a horizontal line.

LE HIEN LUU  
PRIMARY EXAMINER